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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ROGER GORDON,
Plaintiff,

v.

THE STATE BAR OF CALIFORNIA
COMMITTEE OF BAR EXAMINERS,
Defendant

Case No. CV08-3341

[PROPOSED] ORDER

After review and consideration of the written and oral arguments of the parties and all documentation and evidence in the record regarding the Motion to Dismiss filed by the State Bar's Committee of Bar Examiners:

IT IS HEREBY ORDERED THAT:

1. Plaintiff Roger Gordon's Complaint and each and every claim for relief therein is **DISMISSED** against the Committee of Bar Examiners **WITHOUT LEAVE TO AMEND** on the following grounds:

A. Plaintiff lacks standing to bring suit against the Committee of Bar Examiners;

- 1 B. This Court lacks jurisdiction, as matters involving admission requirements to
2 practice law in California fall within the sole and exclusive jurisdiction of the
3 California Supreme Court;
4
5 C. The complaint is jurisdictionally barred by the Eleventh Amendment; and
6
7 D. Plaintiff fails to state a claim upon which relief can be granted.

2. **JUDGMENT** dismissing this action **IS ENTERED** in favor of the Committee of Bar
8 Examiners.

9 Dated: _____

HONORABLE SUSAN ILLSTON
Judge of the United States District Court

PROOF OF SERVICE

I, Joan Sundt, hereby declare: that I am over the age of eighteen years and am not a party to the within above-entitled action, that I am employed in the City and County of San Francisco, that my business address is The State Bar of California, 180 Howard Street, San Francisco, CA 94105.

On August 29, 2007, I served via electronic mail one copy of [**PROPOSED**] ORDER to Plaintiff Roger Gordon at the following email address:

rogerngordon@!yahoo.com

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed at San Francisco, California this 29th day of August, 2008.

s/Joan Sundt